

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2018 OCT 10 PM 4:39

DUBLIN DIVISION

CLERK

SO. DIST. OF GA.

KENNETH CLAY,

Plaintiff,

v.

MONTGOMERY COUNTY GEORGIA
SHERIFF'S DEPT., and RON BIVINS,

Defendants.

CV 318-065

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 11.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DENIES** Plaintiff's request to proceed *in forma pauperis*, (doc. no. 2), and **DISMISSES** this action without prejudice. If Plaintiff wishes to proceed with the claims raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002).

SO ORDERED this 10th day of October, 2018, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE